
UNITED STATES DISTRICT COURT ☆ SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA §
 §
VS. § Criminal Action H-20-CR-00455
 §
ZHENG DONG CHENG §

ORDER

Pursuant to the Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A), the Court finds that the ends of justice which will be served by allowing the defendant additional time in which to prepare this case outweigh the best interest of the public and the defendant in a speedy trial. The Court's basis for said finding is that the failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. §3161(h)(8)(B)(iv).

Accordingly, it is ordered that defendant's unopposed motion for continuance (Dkt. _____) is GRANTED and the time between the date of this Order and _____20____ is excluded from consideration under the Speedy Trial Act, 18 U.S.C. §3161(h). It is further ORDERED that the scheduling order is amended as follows:

1. Deadlines Motions: _____
 Any motions filed must comply with the Local Rules for the Southern District of Texas, in particular SDTX CrLR 12.2.

 Response: _____
 If discovery is opposed, opposition must be filed immediately and response(s) must comply with the Local Rules for the Southern District of Texas, in particular SDTX CrLR 12.3.

***Request(s) and objection(s) must be based on substance, not form.**

2. Motion hearing before Magistrate Judge _____ at 9:00 a.m.
3. Docket call and Final Pretrial Conference: _____ at 8:30 a.m.

****Proposed voir dire questions and jury instructions due at Docket Call/Final Pretrial Conference.***

*****A courtesy copy must be made available to the Court if it exceeds 25 pages.***

Parties must engage in timely plea negotiations. The FPTC date is NOT a date to secure a plea agreement and review it with the defendant-client. The parties must be ready to enter a plea of guilty or proceed to trial on announcement.

4. Jury Selection: _____ at 9:00 a.m.
5. Estimate Trial Time: (6.0 – 7.0 hours/day) _____ day(s)
6. Motions for continuance must be filed at least three (3) business days prior to the date of the court setting and will be granted only at the Court’s discretion. Motions for continuance made on the day the matter is set will not be granted absent a showing of good cause.
7. This Court’s criminal docket is extremely crowded, and for purposes of docket management this Court must be informed as to possible pre-trial disposition of cases on its docket. Therefore, pursuant to the Federal Rule of Criminal Procedure 11(e)(5) and the holding of the Fifth Circuit Court of Appeals in *United States v. Ellis*, 47 F.2d 863 (5th Cir. 1977), any plea bargain or plea agreement entered into by the parties in this cause must be made known to the Court **three (3) days before FPTC**. No plea bargain agreement entered into after this date will be honored by the Court without good cause shown for the delay.

The defendant and his/her attorney must appear for the Court settings. Failure to appear may result in additional charges being brought against the defendant.

Direct your questions about this schedule to Rhonda Hawkins, Case Manager, United States District Court, 515 Rusk Street, Room 8613, Houston, Texas 77002, telephone (713) 250-5518.

Signed on _____, at Houston, Texas.

United States District Judge